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**FACSIMILE TRANSMITTAL**

**TO:**

Name: Mail Stop AF  
Group Art Unit 3772/Examiner Michael Brown

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 08/480,908

Gary K. Michelson

Filed: June 7, 1995

THREADED FRUSTO-CONICAL INTERBODY

SPINAL FUSION IMPLANTS

Attorney Docket No. 101.0053-00000

Customer No. 22882

Confirmation No. 9745

**FROM:**

Name: Thomas H. Martin, Esq.

Phone No.: 330-877-2277

No. of Pages (including this): 9

Date: June 11, 2007

Confirmation Copy to Follow: NO

**Message:**

**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate; \$500.00 total amount to cover the Notice of Appeal fee is to be charged to Deposit Account No. 50-3726), Notice of Appeal; Pre-Appeal Brief Request for Review, and Form PTO/SB/33 are being facsimile transmitted to the U.S. Patent and Trademark Office on June 11, 2007.

Sandra L. Blackmon

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FORM PTO-1083

PATENT  
 Attorney Docket No.: 101.0053-00000  
 Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Gary K. Michelson

Serial No: 08/480,908

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For: THREADED FRUSTO-CONICAL  
 INTERBODY SPINAL FUSION  
 IMPLANTS

Confirmation No. 9745

JUN 11 2007

Group Art Unit: 3772

Examiner: Michael Brown

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

Dear Sir:

Transmitted herewith is a Notice of Appeal in response to the Final Office Action dated May 1, 2007 for the above-identified application.

- No additional fee is required.
- Applicant hereby requests a \*\*\*-month extension of time to respond to the above office action.
- Pre-Appeal Brief Request for Review and Form PTO/SB/33 are enclosed.
- The total amount of \$500.00 to cover the Notice of Appeal fee is to be charged to Deposit Account No. 50-3726.
- The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. A copy of this sheet is enclosed.
  - Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
  - Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
 MARTIN & FERRARO, LLP

Date: June 11, 2007

By:   
 Thomas H. Martin  
 Registration No. 34,383

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